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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,563	10/30/2003	Makoto Koike	62807-146	5912

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MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON, DC 20005-3096

EXAMINER	
CHANG, JULIAN	
ART UNIT	PAPER NUMBER
2452	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/696,563	KOIKE ET AL.	
	Examiner	Art Unit	
	JULIAN CHANG	2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 February 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) *5,6,8,10 and 15* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,7,9 and 11-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *02/17/04-09/04/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is responsive to communication filed on 02/29/09. Claims 1-15 are pending. Claims 5, 6, 8, 10, and 15 are withdrawn from further consideration as being drawn to a nonelected invention. Claims 1-4, 7, 9 and 11-14 have been examined.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-2, 7, 9, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,729,689 (“Allard”), and further in view of U.S. Pub. No. 2004/0030740 ("Stelting").

4. Regarding claims 1, 7, 9 and 11, Allard teaches a method, a system implementing said method, and computer programs implementing said method and said system, said method comprising:

accepting a name information retrieval request at one of a plurality of nodes (Fig. 12, Step 270);

sending said name information retrieval request to a node (Fig. 12, Step 286) designated by a system definition of the one of the plurality of nodes ('one particular designated naming services', Col. 16, lines 4-15); and

retrieving name information based on said retrieval request at the node whose system definition has been designated for acquiring name information for the node (Fig. 12, Step 274).

Allard fails to teach acquiring information on a service corresponding to the name information. Stelting teaches discovering services using a standardized naming service (para. [0028]), and then acquiring information on the service ('test query to verify that the service[s]…were available for use', para [0028]). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to acquire information on a service as taught by Stelting in order to verify that a service is available for user.

5. Regarding claims 2 and 12, Allard-Stelting teaches the invention substantially as claimed and described in claims 1 and 11 above, including sending name information retrieval request to other nodes belonging to a class to which the first node belongs (Allard: Fig. 10, request is sent from Network Naming Proxy Agent 204 to Network Naming Proxy Agent 206), and to a specific node belonging to a class different from the class to which the first node belongs (Allard: Fig. 10, the request is subsequently sent to Naming Service A 212 or Naming Service B 214), so that said name information retrieval request is sent to predetermined classes in a distributed processing system.

6. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard-Stelting as applied to claims 1 and 11 above, and further in view of U.S. 2002/0010798 ("BenShaul").

7. Regarding claims 3 and 13, Allard-Stelting teaches the invention substantially as claimed and described in claims 1 and 11 above, but fails to teach that when interruption of a service identified by said sent name information is detected and a request to delete said name information is sent, name information of nodes designated by the system definition are examined and name information corresponding to the examined name information is updated on said second cache or said first cache.

BenShaul teaches a name server that allows trusted hosts to modify naming information in its local cache when the mapped domain becomes unreachable (para. [0373]). These modifications include replacement of data, removal of data, or refreshing the TTL of existing data (Id). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify naming information stored in a cache in response to a delete request as taught by BenShaul in order to invalidate inaccurate information stored in the cache prior to the expiration of such information.

8. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard-Stelting-BenShaul as applied to claims 3 and 13 above, and further in view of U.S. Pat. No. 6,754,622 ("Beser").

9. Regarding claims 4 and 14, Allard-Stelting-BenShaul teaches the invention substantially as claimed and described in claims 3 and 13 above, but fails to teach that data is sent to a node having said detected interruption of a service to inquire whether said node is operative or not, so that name information of said service is deleted in accordance with whether a reply is received from said node or not.

Beser teaches performing reachability testing using a PING utility, and deleting an address from a network address table (i.e., cache) when the PING utility outputs a timeout message (i.e., no response is received) (Col. 34, lines 22-33). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to employ a PING utility to determine the reachability of a node prior to purging an entry as taught by Beser in order to not purge entries of nodes that are reachable.

Response to Arguments

10. Applicant's arguments filed 02/25/09 have been fully considered but they are not persuasive.

a. Applicant argues that Allard does not disclose that a node designated by a system definition. (Remarks 11). Allard discloses "check[ing] a node name against only particular designated naming services" (Col. 16, lines 4-15). Applicant appears to be arguing that "particular designated naming services" are not naming services that are "designated by a system definition".

Since applicant's disclosure does not contain any explicit definition of "system definition", examination of the claims must be made according to the

accepted meaning of the term in the field. One of ordinary skill in the art would understand "system definition" to mean anything defined by a system or defined in a system. The definition of "define" includes "[t]o give form or meaning to; *characterize*". ("The American Heritage College dictionary", 4th Ed.). The word "define" is also synonymous with the word "designate", which is defined as "[t]o give name or title to; *characterize*". (Id). Since the naming services of Allard are "designated", one of ordinary skill in the art would understand this to be "by a system definition".

b. Applicant argues that Sitaraman fails to teach that each of the plurality of nodes has a system definition. (Remarks 11). While Sitaraman is no longer relied upon, applicant's arguments are still deemed to be insufficient to overcome the new ground(s) of rejection. In response to applicant's arguments, the recitation "a plurality of nodes, *each of which has system definitions for other nodes*" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JULIAN CHANG whose telephone number is (571)272-8631. The examiner can normally be reached on Monday thru Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. C./
Examiner, Art Unit 2452

/Kenny S Lin/
Primary Examiner, Art Unit 2452